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COMMITTEE ON ECONOMIC, SOCIAL
AND CULTURAL RIGHTS

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER
ARTICLES 16 AND 17 OF THE COVENANT

Concluding Observations of the Committee on
Economic, Social and Cultural Rights

FINLAND

1. The Committee on Economic, Social and Cultural Rights considered the fourth periodic report of Finland on the implementation of the International Covenant on Economic, Social and Cultural Rights (E/C.12/4/Add.1) at its 61st, 62nd and 63rd meetings, held on 15 and 16 November 2000, and adopted, at its 75th meeting, held on 24 November 2000, the following concluding observations.

A. Introduction

2. The Committee welcomes the submission of the fourth periodic report of Finland, which has been prepared in general in conformity with the revised reporting guidelines established by the Committee. The Committee notes with satisfaction the responses given in the report to its previous concluding observations.

3. The Committee expresses its appreciation for the readiness of the State party to advance the date of the consideration of its fourth periodic report, which is the first fourth periodic report received and considered by the Committee. The Committee also welcomes the timely submission of written replies to the list of issues, even at such short notice.

4. The Committee notes with satisfaction the open, candid and constructive dialogue with the members of the State party delegation and thanks them for the additional information provided to the Committee upon returning to the capital.

B. Positive aspects

5. The Committee commends the State party on its ratification of the Additional Protocol to the European Social Charter providing for a system of collective complaints, and for its support for the draft optional protocol to the International Covenant on Economic, Social and Cultural Rights.

6. The Committee welcomes the participation of NGOs in the drafting of the State party's periodic reports on the implementation of human rights conventions.

7. The Committee notes with satisfaction the inclusion in the State party's Constitution of age as a prohibited ground of discrimination.

8. The Committee notes with appreciation the adoption by the State party of a programme on the integration of immigrants (April 1999), as well as the proposal prepared by the Ministry of Labour for a plan of action to prevent ethnic discrimination and racism. The Committee further welcomes the proposal for the establishment of an Office of Ombudsman against Ethnic Discrimination.

9. The Committee welcomes the decrease in unemployment, in general, and the fall in youth unemployment, in particular in Finland over the reporting period.

10. The Committee notes with appreciation that at the 159th session of the UNESCO Executive Board (May 2000) Finland underlined the importance of collaboration between the Committee on Economic, Social and Cultural Rights and UNESCO in the context of follow-up to the Dakar Framework for Action (April 2000), with a view to achieving the effective realization of the right to education.

C. Factors and difficulties impeding the implementation of the Covenant

11. The Committee notes the favourable economic conditions prevailing in Finland and observes no insurmountable factors or difficulties preventing the State party from effectively implementing the Covenant.

D. Principal subjects of concern

12. The Committee is concerned that, while the Covenant may be directly invoked before the courts of Finland, there is no case law data suggesting that this has ever happened. In this respect, the Committee is concerned that lawyers and judges may not be sufficiently aware of the rights enshrined in the Covenant.

13. The Committee notes with concern that in 1999 Finland devoted only 0.32 per cent of its Gross Domestic Product (GDP) to international cooperation, while the United Nations recommendation in this regard is 0.7 per cent of GDP for industrialized countries.

14. The Committee regrets that, despite the many initiatives taken by the State party to combat racial discrimination, racist attitudes prevail among the population, perpetuating discrimination against minorities and foreigners, especially in employment.

15. The Committee expresses concern about the practical enjoyment of their labour rights by the so-called "stand-by" workers who allegedly can be laid off without notice.

16. The Committee reiterates its concern, expressed in paragraph 13 of its previous concluding observations (E/C.12/1/Add.8), that although collective agreements in some sectors of professional activity contain provisions for the determination of minimum wages, no minimum wage is guaranteed nationally.

17. While welcoming the several studies and projects concerning violence against women carried out in the past few years in Finland, the Committee notes with concern that the phenomenon has reached alarming proportions. The Committee reiterates its regret at the absence of comparative statistical information on the extent of the problem, as well as lack of information on the remedies, rehabilitation and services provided to victims.

18. The Committee notes with concern the lack of affordable accommodation, especially in the Helsinki metropolitan area, for the homeless, a group consisting mainly of alcoholics, drug abusers, victims of domestic violence and the mentally ill.

19. The Committee regrets the weakening of the public health care system as a result of cuts in the Government's health spending.

20. The Committee is particularly concerned that certain municipalities allocate insufficient funds to health care services. This has resulted in inequality with regard to levels of health care service provision depending on the place of residence, to the detriment in particular of children, persons with physical and mental disabilities and older persons.

E. Suggestions and recommendations

21. The Committee urges the State party to formulate and implement a national plan of action for the protection and promotion of human rights, as recommended in paragraph 71 of the Vienna Declaration and Programme of Action of 1993.

22. The Committee encourages the State party to ensure that all judges and lawyers receive further training provided free of charge to familiarize them with the provisions of the Covenant and the general comments adopted by the Committee.

23. The Committee recommends that the State party review its budget allocation for international cooperation with a view to increasing its contribution in accordance with the United Nations recommendation.

24. The Committee encourages the State party, as a member of international financial institutions, to do all it can to ensure that the policies and decisions of those organizations are in

conformity with the obligations of States parties to the Covenant, in particular the obligations contained in article 2.1 concerning international assistance and cooperation.

25. The Committee urges the State party to finalize its review of the legislation concerning the Sami population with a view to ratifying ILO Convention No. 169. The Committee recommends that the State party settle the question of Sami land title as a matter of high priority.

26. The Committee requests the State party to provide information in its fifth periodic report on the enjoyment by the Roma of their economic, social and cultural rights.

27. The Committee urges the State party to continue and strengthen its efforts to combat racism and xenophobia.

28. The Committee recommends that the State party ensure that legislative provisions concerning job security are effectively implemented, especially as regards the most vulnerable groups, such as part-time, "stand-by" workers and foreigners.

29. The Committee reiterates the recommendation made in paragraph 20 of its previous concluding observations (E/C.12/1/Add.8) that the State party provide for minimum wages at the national level, in order for protection to be ensured also to workers who are not protected by sectoral collective agreements.

30. The Committee requests the State party to provide comparative statistical data, in its fifth periodic report, on the extent of violence against women. The Committee also requests detailed information on the results of the measures taken by the Government to address the phenomenon, including on facilities, rehabilitation and remedies accorded to victims.

31. The Committee further recommends that the State party ensure that adequate resources are afforded to public health services and that the cost of private health care remains affordable to all sectors of society.

32. The Committee calls on the State party to ensure that municipalities provide adequate health services, especially to vulnerable groups such as children, older persons and persons with physical and mental disabilities. In this respect, the Committee requests the State party to provide information, in its fifth periodic report, on the services available in municipalities particularly for those in need of mental health care services.

33. The Committee calls upon the State party to take special care in ensuring the equality of standards in education for all in accordance with article 13 of the Covenant and the Committee's General Comments Nos. 11 and 13.

34. The Committee requests that the State party disseminate these concluding observations as widely as possible among its citizens.

35. The Committee requests the State party to address, in its fifth periodic report, the implementation of these concluding observations.

36. The Committee requests the State party to submit its fifth periodic report by 30 June 2005.